

To: CN=Richard Sumner/OU=COR/O=USEPA/C=US@EPA[]
Cc: CN=Erin Foresman/OU=R9/O=USEPA/C=US@EPA@EPA;CN=Jason Brush/OU=R9/O=USEPA/C=US@EPA[]; N=Jason Brush/OU=R9/O=USEPA/C=US@EPA[]
Bcc: []
From: CN=Tim Vendlinski/OU=R9/O=USEPA/C=US
Sent: Thur 2/2/2012 8:15:10 PM
Subject: current status of the BDCP MOU and other 404 activities (Delta Conveyance)
[BDCP Panetta letter \(1 31 2012\).docx](#)
[BDC Email series Concurrence on 404 Purpose statements FEB 2012.pdf](#)
<http://www.epa.gov/region9/water/watershed/sfbay-delta/index.html>
<mailto:Michael.G.Nepstad@usace.army.mil>
(embedded image)

Hi Rich:

Please find attached e-mail records and attachments that characterize the current status of the BDCP MOU and other 404 activities.

All this provides a context for the training curriculum you're proposing for 404 impact assessment and compensatory mitigation.

I'm 1/2 way through your paper, and I think you've done a nice job framing the approach.

The key question is whether the Sacramento Corps District would be receptive to incorporating your approach into their regulatory review and permitting process.

I don't think you'd have trouble selling the approach to Region 9, but as you can see from the attached documents, the Corps and the State DWR don't seem to be on the same page when it comes to integrated permitting, and the State Water Resources Control Board is not engaged at all (i.e., your proposed link with 401 compliance).

Erin is the perfect person to have on our call as she serves as our essential liaison with the Sacramento Corps District.

She'll have a sense about whether your proposed curriculum will resonate with the Corps.

Thanks, Tim

><(((e>.'`'....><(((e>.'`'....><(((e>

Tim Vendlinski
Senior Policy Advisor
Office of the Director (WTR-1)
EPA Pacific Southwest Region
75 Hawthorne Street
San Francisco, CA 94105-3901
<http://www.epa.gov/region9/water/watershed/sfbay-delta/index.html>
>vendlinski.tim@epa.gov<
phone: 415.972.3469
fax: 415.947.3537

----- Forwarded by Tim Vendlinski/R9/USEPA/US on 02/02/2012 11:50 AM -----

From: "Monroe, Jim" <James.Monroe@sol.doi.gov>
To: "Nawi, David" <David_Nawi@ios.doi.gov>, "Barajas, Federico" <FBarajas@usbr.gov>, "Milligan, Ronald E" <RMilligan@usbr.gov>, "Castleberry, Dan" <dan_castleberry@fws.gov>, Karen Schwinn/R9/USEPA/US@EPA, "Grim, Mary" <Mary_Grim@fws.gov>, "Nepstad, Michael G SPK"

<Michael.G.Nepstad@usace.army.mil>, "michael.s.jewell@usace.army.mil" <michael.s.jewell@usace.army.mil>, "Idlof, Patricia S (Patti)" <Pidlof@usbr.gov>, "Norris, Jennifer" <jennifer_norris@fws.gov>, 'Michael Tucker' <Michael.Tucker@NOAA.GOV>, Tom Hagler/R9/USEPA/US@EPA, "Kiger, Luana - Davis, CA" <Luana.Kiger@ca.usda.gov>, "Fujii, Roger" <rfujii@usgs.gov>, "Arroyave, Pablo R" <PARroyave@usbr.gov>, Howard Brown <Howard.Brown@noaa.gov>, "Lohoefer, Ren" <Ren_Lohoefer@fws.gov>, "Belin, Letty" <Letty_Belin@ios.doi.gov>, "Glaser, Donald R" <DGlaser@usbr.gov>, 'Deanna Harwood' <Deanna.Harwood@noaa.gov>, "Rinek, Lori" <lori_rinek@fws.gov>, "rod.mcinnis@noaa.gov" <rod.mcinnis@noaa.gov>, "Shouse, Michelle K." <mkshouse@usgs.gov>, "Keay, Jeffrey A." <jkeay@usgs.gov>, "Robershotte, Paul J SPD" <Paul.J.Robershotte@usace.army.mil>, "Case, Harvey L." <hlcase@usgs.gov>, "Fry, Susan M" <SFry@usbr.gov>, Maria Rea <Maria.Rea@noaa.gov>, "Chotkowski, Michael" <michael_chotkowski@fws.gov>, "Hoover, Michael" <michael_hoover@fws.gov>, "Chrisney, Ann C" <achrisney@usbr.gov>
Cc: "Allen, Kaylee" <Kaylee.Allen@sol.doi.gov>, "Monroe, Jim" <James.Monroe@sol.doi.gov>, "Chris.Yates@noaa.gov" <Chris.Yates@noaa.gov>, "Will.Stelle@noaa.gov" <Will.Stelle@noaa.gov>, "jeff.McLain@noaa.gov" <jeff.McLain@noaa.gov>, "Morales, Francia S" <FMorales@usbr.gov>, "Pennell, Becky" <Becky_Pennell@fws.gov>, Erin Foresman/R9/USEPA/US@EPA, Tim Vendlinski/R9/USEPA/US@EPA
Date: 02/02/2012 09:13 AM
Subject: FW: Federal Coordination Meeting - February 2 (UNCLASSIFIED)

Per request from David Nawi; Attachment is email from Sacramento District Corps Regulatory re: current status of BDCP MOU and other 404 activities.

----- Message from "Nawi, David" <David_Nawi@ios.doi.gov> on Thu, 2 Feb 2012 12:08:54 -0500 -----

To: "Monroe, Jim" <James.Monroe@sol.doi.gov>
Subject: Fw: Federal Coordination Meeting - February 2 (UNCLASSIFIED)

----- Original Message -----

From: Nepstad, Michael G SPK [mailto:Michael.G.Nepstad@usace.army.mil]
Sent: Wednesday, February 01, 2012 04:10 PM
To: Nawi, David
Subject: RE: Federal Coordination Meeting - February 2 (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Not sure yet if I can make the call, but in case I can't, here is an update on Corps matters.

Attached is a first draft of a possible letter the Governor may send/give to Defense Secretary in combination with his visit to DC (and possible meeting with the Secretary this month). Corps is evaluating the letter and considering next step(s).

On 27 Jan 2012, DWR staff has told Paul and I that the NEPA-404 integration MOU was dead, by which they mean DWR will issue a statement or letter terminating the effort. We have been waiting for confirmation that DWR does indeed not want to pursue this MOU. MOU is still in our HQ undergoing review.

On 27 Jan 2012, DWR staff has told Paul and I that the idea of the State providing the Corps with some funding to assist in the expediting Corps permit review was a good one and they want to start the process of an MOA between DWR and the Corps under section 214 of the Water Resources Development Act of 2000 (Public Law 106-541) to provide up to \$100,000 for the expedition of SPK reviews. We have been waiting for confirmation that DWR does indeed want pursue this MOA.

Corps and EPA will have monthly section 404 coordination meetings to better coordinate on section 404 matters.

Michael G. Nepstad
Deputy Chief, Regulatory Division
US Army Corps of Engineers, Sacramento District
1325 J Street, Room 1350
Sacramento, California 95814-2922
(916) 557-7262 Fax:(916) 930-9506
michael.g.nepstad@usace.army.mil

-----Original Message-----